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PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

June 17, 1977

As provided under the provisions of Section 14, Article IV of the Constitution of the State of Texas, I disapprove of H.B. No. 1856 and am filing same with the Secretary of State setting forth the following objections:

I disapprove of House Bill No. 1856, which requires a security deposit to be placed with the clerk of the court to cover the costs of service of process in suits to enforce the collection of delinquent property taxes, and provides an alternate method of service of citation in those cases.

Although House Bill No. 1856 provides that the security deposit would be returned to the taxing authority if execution is not performed, the bill would penalize those taxing authorities that aggressively attempt to collect delinquent property taxes. If the taxing authority is in a continual process of filing suits to collect these taxes, the deposits required by this bill would remain with the clerk indefinitely. This would simply be an added expense to cities, counties, and other political subdivisions that are attempting to enforce the tax laws.

The bill also permits service of citation by certified mail, return receipt requested. The Supreme Court of Texas has the authority to promulgate rules of procedure in civil cases and could permit, if justification exists, modification of the Texas Rules of Civil Procedure or the method of service provided in this bill.

The failure to pay delinquent property taxes can result in the forced sale of the property on which the taxes are due, and all persons are entitled to adequate notice of the pendency of tax suits as they now are.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the seal of the State of Texas to be affixed hereto at Austin, Texas, this 17th day of June 1977